



UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

JOSE RIVAS, )

Defendant. )

2:10-CR-473-KJD (GWF)

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on April 27, 2011, defendant Jose Rivas pled guilty to Count One of a One-Count Criminal Indictment charging him with Title 18, United States Code, Section 922(g), Felon in Possession of a Firearm.

This Court finds defendant Jose Rivas agreed to the forfeiture of the property set forth in the Forfeiture Allegation of the Criminal Indictment and the Plea Memorandum.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between the property set forth in the Forfeiture Allegation of the Criminal Indictment and the Plea Memorandum and the offense to which defendant Jose Rivas pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

1. a Savage Arms, model 720, semi-automatic 12 gauge shotgun, bearing serial number 92322;

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2. a Savage Arms, model 99E, 308 caliber lever action rifle, bearing serial number 1067233;
3. a 1887 Coach Gun, model 99, 12 gauge double barrel shotgun, bearing serial number 600673; and
4. any and all ammunition.

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of Jose Rivas in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish at least once a week for three successive weeks in a newspaper of general circulation, the Las Vegas Review Journal/Sun, the notice of this Order, which shall describe the forfeited property, state the times under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

Daniel D. Hollingsworth  
Assistant United States Attorney  
Michael Humphreys  
Assistant United States Attorney  
Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
3 following publication of notice of seizure and intent to administratively forfeit the above-described  
4 property.

5 DATED this 27 day of April, 2011.

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9 UNITED STATES DISTRICT JUDGE  
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